



MICHAEL J. ASHE, JR.  
SHERIFF

THE COMMONWEALTH OF MASSACHUSETTS  
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Received & Inspected

JAN 12 2015

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December 31, 2014

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Re: WC Docket No. 12-375 Second Further Notice of Proposed Rulemaking (Inmate Calling Services)

Dear Ms. Dortch,

My Sheriff's Department operates multiple correctional centers in Western Massachusetts, and as such, I am very concerned about the FCC Notice of Proposed Rule Making regarding the elimination of commission payments for inmate telephone services. Specifically, commission payments are the essential funding to ensure that inmates have uninterrupted use of inmate telephones which we provide as a privilege.

An FCC ruling that leads to the failure to provide ongoing reasonable financial support to correctional institutions via telephone commissions to maintain inmate calling systems will unfortunately result in elimination of this inmate privilege. I think we would all agree that the opportunity for inmates to maintain telephone contact with the outside is obviously vital to rehabilitative and community re-entry should not be unnecessarily jeopardized. As the continuation of this inmate privilege lies squarely in the hands of the FCC, I implore you to thoroughly review all the facts.

I ardently support reasonable inmate calling rates as well as fee reforms to protect inmates and their families from paying excessive rates and fees. To this end, my department serves as an example of extremely low inmate/family friendly rates for all types of telephone services. As such, the inmates under my custody should not be penalized by a draconian "one-size-fits-all" decision to eliminate the commissions that support the telephone services provided to them.

The cost for providing inmate phone services must remain funded. The FCC needs to fully realize that the real cost does not stop when a telephone is installed in an inmate living unit. For example, my department is required to spend a minimum of \$165,487.00 annually to operate our inmate telephone system. (Attached is a

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spreadsheet summarizing these associated costs). The real cost includes an intense, ongoing, departmental commitment of staffing and financial resources. Just a few of these include:

- Training inmates on how to use the phone system
- Setting-up inmate telephone accounts
- Training staff on how to use the inmate phone system and the myriad of security features
- Physical maintenance of phones
- Staff time required to monitor maintenance of phones
- Business record keeping relating to inmate telephones, inmate accounts
- Handling law enforcement and court inquiries regarding inmates phone calls, compliance and reporting
- Archiving calls that are used for court.
- Three-way call detection verification by staff
- Prosecuting or disciplining inmates for crimes committed while using the inmate phones and visitation phone
- Free calls to inmate legal counsel
- Adhering to mandated Prison Rape Elimination Act (PREA) voicemail systems, confidential calls and reporting
- Staff supported customer service for inmates encountering phone problems
- Telephone call surveillance. (The implementation of rate caps and fee elimination will result in an increase in institutional operating costs proportional to the increase in inmate telephone usage).
- Writing Requests for proposals and handling the bidding process
- Litigation resulting from inmates or the public regarding the phone system

I implore the FCC to undertake a full analysis of the institutional costs associated with providing inmate phone privileges prior to making any final decision. Should the FCC ultimately decide to make any change in inmate telephone commissions or rates, such change(s) should be implemented over a reasonable period of time so that correctional institutions, inmates, and their families, may adjust to the changes or elimination of inmate phone privileges.

As a correctional administrator for the past 40 years, I am intimately aware of the looming ramifications of this particular issue on the correctional environment and would be happy to respond to any questions you may have regarding this matter.

Sincerely,



Michael J. Ashe, Jr.  
Sheriff

cc: Deval Patrick, Governor, Massachusetts  
Honorable Richard Neal, U.S. Representative  
Massachusetts Sheriff's Association



# STAFF TIME SPENT ON INMATE PHONE SYSTEM

DECEMBER 9, 2014

JOB TITLES	JOB DUTIES	HRS WKLY	RATE OF PAY (HRLY)	ANNUAL
Telephone Comm. Asst.	Oversee operation of inmate phone system	40	\$24.39	\$50,731.20
	Investigate and respond to grievances from inmates			
	Assist inmate friends and families			
	Investigate and listen to inmate phone calls			
	Work with our investigative department on ongoing and new cases			
	Work with outside agencies on investigations and burning inmate calls to inmate			
	Testify in court if needed on inmate phone recordings			
	Keep up to date on inmate phone technology			
	Set up inmate phone listing work stations			
	Keep and maintain user accounts			
	Train users how to use security features			
	Block numbers from public or from courts			
	Troubleshoot system			
Sergeant	Staff monitoring phone recordings	5	\$30.33	\$7,885.80
ADS II	Staff responding to grievances	5	\$45.09	\$11,723.40
Corr. Counselor	Staff processing phone apps, registration etc.	10	\$26.34	\$13,696.80
Asst. Dep. Super. II	Staff fixing phone issues	5	\$45.09	\$11,723.40
Admin. Asst. (main facility)	Researching out multiple problems reported residents from the 5 counties	15	\$25.81	\$20,131.80
	Researching out multiple problems reported by members of the community for 5 counties			
	Answering question from visitors			
	Coordinate with MI contacts: Telecommunications Assistant			
	Orientation with new intakes for 4 counties to include:			
	Explained the GTL Telephone System			
	Most have had the SECURIS Telephone System			
	Explained the GTL Telephone procedure			
	Explained how to complete the forms			
	Explained the Collect Call System			

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**STAFF TIME SPENT ON INMATE PHONE SYSTEM**

**DECEMBER 9, 2014**

<b>JOB TITLES</b>	<b>JOB DUTIES</b>	<b>HRS WKLY</b>	<b>RATE OF PAY (HRLY)</b>	<b>ANNUAL</b>
	Explained the Debit Calling System			
	Completing the Forms & Checking for accuracy			
	Enrolling each inmate into the GTL System			
	Call contact and load new numbers for out of county inmates (1x)			
<b>Res. Supv.</b>	Sets up all the phones for new inmate transfers for federal and DOC inmates	1 hr month	\$29.16	\$349.92
<b>Corr. Counselor</b>	Assists residents who are having problems with the phones. Whether the phone needs to be set up again, billing issues with families or monies that are owed from a sending institution (i.e.) if a resident is transferring from another facility and inmate monies in their account, staff regularly need to help track down that money.	3	\$29.16	\$4,548.96
<b>Managers and Supervisors</b>	Staff monitor phone calls to ensure the security of the building and program.	2	\$38.04	\$3,956.16
<b>Unit Managers</b>	Unit Managers spend time looking into grievances, sitting down and meeting with residents who have phone issues or education residents at the unit meetings regarding our system and use.	3 hrs a month	\$38.04	\$5,934.24
<b>Admin. Asst. (anx. Facility)</b>	Forwards inmate grievances concerning the phones to Telecommunications Assistant	1	\$25.81	\$1,342.12
<b>Equipment: CD's</b>	Burning CD's for each case minimum.			\$100.00
<b>Lt.</b>	listening to inmate phone calls for criminal conduct, gang management, information on pending court cases and potential security breaches within facility.	2	\$35.01	\$3,641.04
<b>Manager</b>	listening to inmate phone calls for criminal conduct, gang management, information on pending court cases and potential security breaches within facility.	1	\$37.29	\$1,939.08
<b>Corr Counselor (facility #2)</b>	listening to inmate phone calls for criminal conduct, gang management, information on pending court cases and potential security breaches within facility.	10	\$25.20	\$13,104.00

12/29/2014

## STAFF TIME SPENT ON INMATE PHONE SYSTEM

DECEMBER 9, 2014

JOB TITLES	JOB DUTIES	HRS WKLY	RATE OF PAY (HRLY)	ANNUAL
Corporal	listening to inmate phone calls for criminal conduct, gang management, information on pending court cases and potential security breaches within facility.	10	\$28.65	\$14,679.60
	Grand Total			\$165,487.52

12/29/2014